

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.592 of 2025

Arising Out of PS. Case No.-534 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

1. Sipak Kumar Chaudhary @ Siphak Kr. Chaudhary S/o- Sanjay Chaudhary
Village- Nauranga PS-Bairea Distt- Balia UP
2. Manoj Thakur S/o- Late Jitan Thakur Village- Nauranga PS-Bairea Distt-
Balia UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar, Adv.

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioners
and learned APP for the State.

2. The petitioners seeks bail in connection
with Udwanthnagar (Gajrajganj O.P.) P.S. Case No.
534 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise
Act and Sections 317(5)/3(5) of the B.N.S., 2023.

3. As per prosecution case, the police has
recovered total 581.400 liters of illicit liquor from
the car. The petitioners were arrested on the spot.

4. Learned counsel for the petitioners
submits that the petitioners are innocent and have



committed no offence as alleged against them and have falsely been implicated in the present case merely on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners are neither owner nor driver of the alleged vehicle. The petitioners have never indulged in selling or distributing the illicit liquor. The petitioners have no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioners have no criminal antecedent and are languishing in judicial custody since 05.12.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioners



and the petitioners having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Udwantnagar (Gajrajganj O.P.) P.S. Case No. 534 of 2024.

(Rudra Prakash Mishra, J)

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